

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYRONE JOHNSON	:	CIVIL ACTION
	:	
v.	:	No. 19-5796
	:	
ERIC TICE, et al.	:	

ORDER

AND NOW, this 28th day of July, 2021, upon careful consideration of pro se Petitioner Tyrone Johnson's Petition Under 28 U.S.C. §2254 for Writ of Habeas Corpus by a Person in State Custody, Respondents' response in opposition, and after review of the April 28, 2021, Report and Recommendation of United States Magistrate Judge Henry S. Perkin, and for the reasons stated in the accompanying Memorandum, it is ORDERED:

1. The Report and Recommendation (Document 18) is APPROVED and ADOPTED;
2. Johnson's Petition Under 28 U.S.C. §2254 for Writ of Habeas Corpus (Document 1) is DENIED with prejudice and DISMISSED without an evidentiary hearing;
3. Judgement is entered in favor of Respondents;
4. Because Johnson has not made a substantial showing of the denial of a constitutional right, i.e., that reasonable jurists would disagree with this Court's procedural or substantive rulings on Johnson's claims, a certificate of appealability shall not issue. *See* 28 U.S.C. §2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 483–84 (2000); and
5. The Clerk of Court is DIRECTED to mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, C.J.